

C6 - PERSONAL WITH MILITARY

1PEN809655 - PAUL J HOOTEN ESQ

UNITED STATES EASTERN DIST. COURT - NEW YORK COUNTY

GARDEN CITY BOXING CLUB INC,  
PLAINTIFF

- vs. -

ANDINA RESTAURANT CORP DBA RESTAURANT  
CHIFA  
PERUANO ET ANO,  
DEFENDANT

Index No: 06/4994  
Date Filed: 00/00/0000  
Office No:  
Court Date: N/A

STATE OF NEW YORK COUNTY OF NEW YORK :SS:

ANDREW LINDAUER being duly sworn, deposes and says;

I AM OVER THE AGE OF 18 YEARS AND RESIDE IN THE STATE OF NEW YORK.

That on 10/17/2006 at 3:15PM at 91-18 CORONA AVENUE , ELMHURST, NY 11373, I served the SUMMONS AND COMPLAINT upon JAVIER TUCTO the DEFENDANT therein by delivering and leaving a true copy or copies of the aforementioned documents with said DEFENDANT personally.

Deponent describes the person served as aforesaid to the best of deponent's ability at the time and circumstances of service as follows:

SEX: MALE

COLOR: BROWN

HAIR: BLACK

APP. AGE: 35

APP. HT: 5'6

APP. WT: 150

OTHER IDENTIFYING FEATURES:

That at the time of service, as aforesaid, I asked DEFENDANT whether he/she was in, or a dependant of a person in the military service of the United States Government, or of the State of New York, and received a negative reply.

Upon information and belief based upon the conversation and observation as aforesaid I aver that DEFENDANT is not in the military service of the United States Government or of the State of New York, as that term is defined in statutes of the State of New York, or of the Federal Soldiers and Sailors Civilian Relief Act.

That at the time of such service I knew the person so served as aforesaid to be the same person mentioned and described in the aforementioned documents as JAVIER TUCTO the DEFENDANT in this action.

Sworn to before me on 10/19/2006.

HARVEY TAUBER  
Notary Public, State of New York  
No. 01TA4667012  
Qualified in BRONX  
Commission Expires 12/31/2006

ANDREW LINDAUER - 724538  
AAA ATTORNEY SERVICE CO. OF NY, INC.  
20 VESEY ST., ROOM 1110  
NEW YORK, NY 10007  
Ref#: 1PEN809655  
AP